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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)**

IN RE: BEXTRA AND CELEBREX) MDL CASE NO.: 05-CV-1699
MARKETING SALES PRACTICES AND)
PRODUCT LIABILITY LITIGATION)

Plaintiffs,) **STIPULATION AND ORDER OF**
vs.) **DISMISSAL WITH PREJUDICE**
) **AS TO PLAINTIFF CRAIG FRANKEL**

Defendants

Derivatives

COME NOW, Plaintiff CRAIG FRANKEL and Defendants PFIZER, INC., et al., by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE
AS TO PLAINTIFF CRAIG FRANKEL**

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1 hereby stipulate to the dismissal of Plaintiff CRAIG FRANKEL from this action, with prejudice,
2 each side bearing its own attorney's fees and costs.

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4 Respectfully submitted,

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6 Dated: September 24, 2009

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9 KABATECK BROWN KELLNER LLP

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11 By: _____

12 Brian S. Kabateck, Esq.
13 Attorneys for Plaintiff CRAIG FRANKEL

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15 Dated: October 27, 2009

16 DLA PIPER LLP

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18 /S/

19 By: _____

20 Matthew A. Holian
21 Attorney for Defendants PFIZER, INC., et al.

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28 **ORDER**

18 PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS
19 SO ORDERED.

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21 Dated: OCT 29 2009

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28 Honorable Charles R. Breyer
United States District Court

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